

Staff Summary Report



Hearing Officer Hearing Date: October 2, 2007

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by the **TALEN RESIDENCE (PL070327)** located at 111 West 12th Street for one (1) use permit.

DOCUMENT NAME: 20071002dssd01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **TALEN RESIDENCE (PL070327)** (Emily Talen, applicant/property owner) located at 111 West 12th Street in the R-2, Multi-Family Residential District for:

ZUP07139 Use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

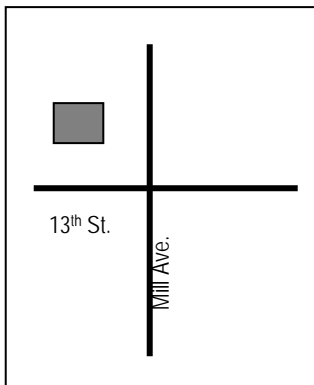
SEA

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-3

ADDITIONAL INFO: The applicant is before the Hearing Officer to request a use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet. The applicant is proposing to expand the kitchen and living room. To date, there has been no public input to the request. Staff supports the use permit as proposed in this application.



PAGES:

1. List of Attachments
2. Comments; Reason(s) for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor Plan
- 6-8. Staff Photograph(s)

COMMENTS:

The Talen Residence is before the Hearing Officer to request a use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet. The property is located at 111 West 12th Street in the R-2, Multi Family Residential District. The applicant is proposing to expand the kitchen and living areas. The existing residence is fifteen (15) foot from the rear property line. The proposed addition will extend three (3) beyond the existing footprint, which will be twelve (12) feet from the rear setback.

To date, there has been no public input to the request. .

Use Permit

The Zoning and Development Code requires a use permit to reduce the rear setback by twenty percent (20%) in the R-2 Multi Family Residential District.

Evaluating the use permit, the proposal appears to pass the use permit tests listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - No potential nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposal would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

- CONDITION(S)
OF APPROVAL:
- 1. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
 - 2. All required permits and clearances shall be obtained from the Building Safety Division.
 - 3. The new addition shall match the existing residence in color, material, and texture

HISTORY & FACTS: Single Family Residence constructed in 1937.

September 4, 2007 ZUP07109: Use Permit approved to allow required parking in the front yard setback.

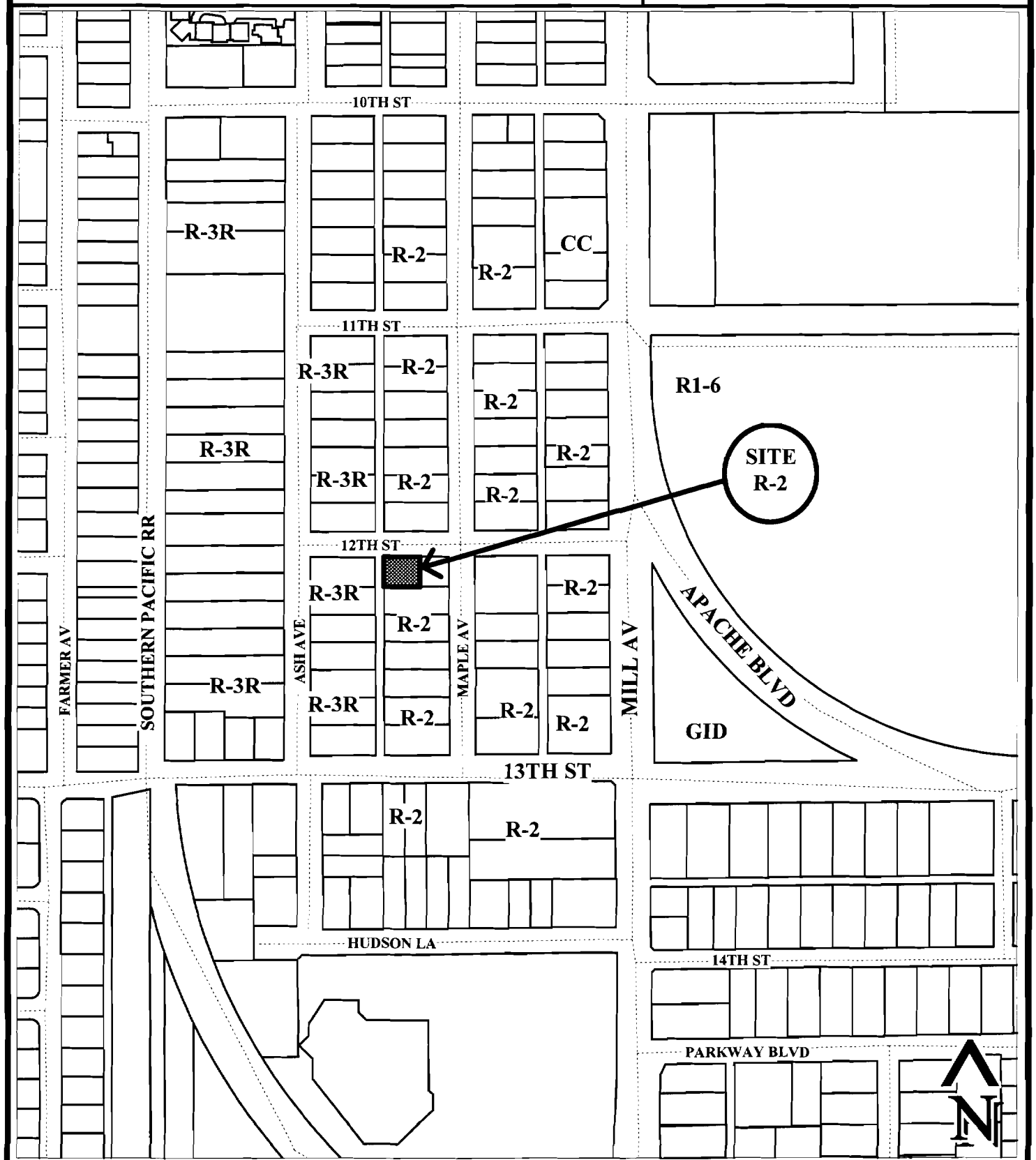
DESCRIPTION: Owner – Emily Talen
Applicant – Emily Talen
Existing Zoning – R-2, Multi-Family Residential District
Lot Size – 4,690 s.f. / .13 Acres
Existing Residence Area – 1,861 s.f.
Proposed Addition– 120 s.f.
Proposed Total Floor Area of Home – 1,981 s.f.
Existing Required Rear Setback – 15’
Proposed Rear Setback – 12’

ZONING AND
DEVELOPMENT
CODE REFERENCE: Part 4, Chapter 2, Section 4-202:
Development Standards for Residential Districts

Part 6, Chapter 3, Section 6-308
Use Permit.

TALEN RESIDENCE

PL070327



Location Map



TALEN RESIDENCE (PL070327)

September 4, 2007

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-5002
480-350-8331

Re: Letter of explanation for use permit, 111 W. 12th St., parcel no. 132-45-80

We would like to add an addition to the rear of our property. We are requesting permission to extend the addition to 3' within the required 15' rear yard setback. The required rear yard setback is 15' which is where the existing building is located. The use permit standard is 20%, which in this case is 3', allowing a reduction to 12 ft. with a use permit.

This use change will not be visible from the sidewalk or street. The addition area is completely fenced and not visible to neighbors. It will not cause any kind of nuisance or incompatibility with surrounding structures. It will not contribute to any deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City.

Please note that our parcel no. is 132-45-80. It is located on the alley and is not the corner lot.

Site data:

Zoning: R-2
Lot area: 4,690 sq. ft.
Existing house area: 1861 sq. ft.
Proposed addition: 120 sq. ft.
Front setback requirement: 20 ft. for building/parking
Side setback requirement: 10 ft.
Rear setback requirement: 15 ft.

Thank you.



Emily Talen and Luc Anselin, owners
111 W. 12 St.
217-390-5951

111 W. 12th St.

Street

Driveway

15'

Property line

Sidewalk

66.07'

20'

Alley

Property line

Carport

Garage

Existing Dwelling

PROPOSED ADDITION

Property line

70'

15'

12' 6"

3'

16.6'

3'

Fence

Property line

66.51'

12'

15'

Fence



TALEN RESIDENCE

111 W. 12TH ST.

PL070327

FRONT OF RESIDENCE: VIEW TO SOUTH



TALEN RESIDENCE

111 W. 12TH ST.

PL070327

GARAGE AND DRIVEWAY



TALEN RESIDENCE

111 W 12TH ST

PL07327

REAR OF RESIDENCE